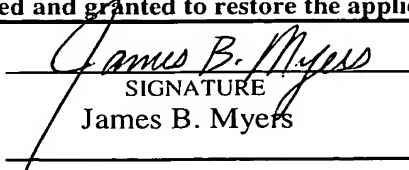



<input type="checkbox"/> FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S DOCKET NUMBER X16154	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/578991	
INTERNATIONAL APPLICATION NO. PCT/US2004/035527	INTERNATIONAL FILING DATE 16 Nov 2004 (16.11.2004)	PRIORITY DATE CLAIMED 20 Nov 2003 (20.11.2003)	
TITLE OF INVENTION: PHENYL-FURAN COMPOUNDS AS VITAMIN D RECEPTOR MODULATORS			
APPLICANT(S) FOR DO/EO/US: GAJEWSKI Robert Peter, JONES Charles David, LU Jianliang, MA Tianwei, NAGPAL Sunil, YEE Ying Kwong, , , ,			
Applicant herewith submits to the U.S. Designated/Elected Office (DO/EO/US) the following items and other information:			
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. Items 12. to 18. below concern document(s) or information included:	<div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> The US has been elected (Article 31).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <div style="margin-left: 20px;"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </div> </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <div style="margin-left: 20px;"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </div> </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> A declaration of the inventors 35 U.S.C. 371(c)(4) was provided in the PCT Request Form.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A copy of the International Preliminary Examination Report (IPER), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> Search Report/Written Opinion (ISA/EP)</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> Assignment has been recorded at reel _____, frame _____.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> A FIRST preliminary amendment.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A Sequence Listing, 1.821 Statement, and diskette.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> A change of power of attorney with attachment.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> Other items or information: Please amend the first page of the specification by inserting the following cross-reference after the title: "This is the national phase application, under 35 USC 371, for PCT/US2004/035527, filed 16 November 2004, which, claims the benefit, under 35 USC 119(e), of US provisional application 60/524,015, filed 20 November 2003." </div>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) 10/578991		INTERNATIONAL APPLICATION NO. PCT/US2004/035527		ATTORNEY'S DOCKET NUMBER X16154	
19.	<input checked="" type="checkbox"/>	The following fees are submitted:			CALCULATIONS PTO USE ONLY
(a)	Basic national fee (37 CFR 1.492(a)).....\$300.00			\$300.00	
(b)	Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 All other situations.....\$200			\$200.00	
(c)	Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400 All other situations.....\$500			\$400.00	
TOTAL AMOUNT (a + b + c) =				\$900.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		16-20= 0		X \$50.00	\$
Independent claims		2-3= 0		X \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$900.00	
Processing fee of \$130.00 for furnishing English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).				\$	
\$40.00 per property +					
TOTAL FEES ENCLOSED =				\$900.00	
				Amount to be refunded	\$
				charged	\$
a.	<input type="checkbox"/>	A check in the amount of \$_____ to cover the above fees is enclosed.			
b.	<input checked="" type="checkbox"/>	Please charge my Deposit Account No. 05-0840 in the amount of \$900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.			
c.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: ELI LILLY AND COMPANY PATENT DIVISION P.O. BOX 6288 INDIANAPOLIS, INDIANA 46206-6288 Date <u>11 May 2006</u> 42.021			 SIGNATURE James B. Myers		 25885 PATENT TRADEMARK OFFICE
REGISTRATION NUMBER			317-276-0755 TELEPHONE NUMBER		

10/578991

IN THE UNITED STATES RECEIVING OFFICE (USRO)

Applicant(s): Robert Peter GAJEWSKI,
Charles David JONES,
Jianliang LU,
Tianwei MA,
Sunil NAGPAL,
Ying Kwong YEE

USPTO Rec'd PCT/PTO 11 MAY 2005

International Application No.: PCT/US2004/035527

Filed: 16 November 2004 (16.11.2004)

Invention: PHENYL-FURAN COMPOUNDS AS VITAMIN D RECEPTOR MODULATORS

Lilly Reference: X-16154

Earliest Priority Date: 20 November 2003 (20.11.2003)

Certificate Under 37 C.F.R. § 1.10

Attention: DO/EO
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

"Express Mail" mailing label number: EV 393128291 US

Date of Deposit: 5-11-04

I hereby certify that the following attached paper or fee

Transmittal Letter to the United States Designated/Elected Office (US) concerning a filing under 35 U.S.C. 371 of the International Application identified above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Olga M Franz
(Typed or printed name of person mailing paper)

Olga M Franz
(Signature of person mailing paper or fee)

CERTIFICATE UNDER 37 CFR 3.73(b)

First Applicant: GAJEWSKI Robert Peter

Serial No.: PCT/US2004/035527

Application Date: November 16, 2004

US Nat'l Entry Date:

Entitled: PHENYL-FURAN COMPOUNDS AS VITAMIN D RECEPTOR MODULATORS

ELI LILLY AND COMPANY, an Indiana Corporation

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above.

☐ The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame.

☒ The assignment is being submitted separately for recordation; a copy of this assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

11 May 2006

James B. Myers
Patent Counsel

